

EXHIBIT 19

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

IN RE: . Case No. 01-1139 (JKF)
. .
W.R. GRACE & CO., .
et al., . USX Tower - 54th Floor
. 600 Grant Street
. Pittsburgh, PA 15219
Debtors. .
. September 15, 2009
. 9:05 a.m.

TRANSCRIPT OF PLAN CONFIRMATION HEARING
BEFORE HONORABLE JUDITH K. FITZGERALD
UNITED STATES BANKRUPTCY COURT JUDGE

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Peterson - Recross/Bernick

284

1 that might have been for values but not propensity to sue. I
2 don't recall the propensity to sue.

3 Q Does the calibration period, if she went back to '94,
4 given the curves that you showed that went up precipitously in
5 the '98 to '01 period of time, if she went back all the way to
6 1994, what effect would that have on the calculation in the
7 case of Grace?

8 MR. PASQUALE: Objection, Your Honor. The witness
9 said he didn't recall what Dr. Chambers did.

10 MR. BERNICK: I just said if she did.

11 THE COURT: He said that he believes she went back to
12 1994 but with respect to values, not propensity to sue.

13 MR. BERNICK: Same thing.

14 Q Would that have an impact on the calculation?

15 A Well, yes. It would be -- it's an out-of-date era.
16 Asbestos litigation has changed in many ways and repeatedly.
17 It would be like trying to estimate the amount of teenagers
18 using telephones by looking to an era before there were
19 iPhones and such devices. It just isn't pertinent. It's not
20 relevant to the task here which is to forecast the future.

21 Q Okay. So, let's in fairness say, okay, let's focus on Dr.
22 Florence. The real novelty in the estimation trial, was it or
23 was it not the approach that Dr. Florence took?

24 A It certainly was novel. I would say it's the real
25 novelty. It was the outlier. It was the --

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285

1 Q It was the outlier.

2 A It was the unusual.

3 Q And it was our position, we felt, totally grounded in the
4 law, science in fact, and we said those things and meant those
5 things. But in the history of estimation --

6 A Really?

7 Q Absolutely. In the history of estimation, has there ever
8 been an asbestos case that adopted the approach that Dr.
9 Florence adopted in connection with his work on the estimation?

10 MR. PASQUALE: Objection, Your Honor. Lacks
11 foundation.

12 THE COURT: Well, if he knows.

13 Q If you know?

14 A I know of none. I know of most estimations, perhaps not
15 every one. None that I know of have used that method.

16 MR. BERNICK: Nothing further, Your Honor.

17 THE COURT: Anyone else?

18 MR. PASQUALE: No recross from me, Your Honor.

19 THE COURT: Any recross?

20 (Pause)

21 THE COURT: You're excused, Dr. Fleming. I'm sorry.
22 Dr. Peterson. I'm sorry.

23 THE WITNESS: Thank you, Your Honor.

24 THE COURT: Dr. Peterson.

25 MR. BERNICK: Farewell.